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November 7, 2022

United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201  
Attn.: Judge Rachel P. Kovner

**Re: Kevin McCabe v. CVS Health Corporation**  
**Case No. 1:22-cv-03116-RPK-RML**

Dear Judge Kovner:

On behalf of the plaintiff, Kevin McCabe, I served the following in opposition to Defendants' motion to dismiss the Amended Complaint:

1. Declaration of Todd C. Bank with Exhibit "A"; and
2. Memorandum of Law.

On October 24, 2022, counsel to Defendants stated, in response to an email that I sent, as follows: "CVS Pharmacy, Inc. has authorized us to accept service and waives any objection to formal service of the summons and amended complaint."

Sincerely,

*s/ Todd C. Bank*

Todd C. Bank

TCB/bd